

CHARGE: Between 7-17-58 and 8-27-58, *Seconal Sodium capsules* (counts 1, 2, 3, and 7) were dispensed 4 times, *Compazine Spansule capsules* (counts 4, 8, and 11) were dispensed 3 times, and *Dewedrine Sulfate tablets* (counts 6 and 10) were dispensed twice upon requests for prescription refills without authorization from a prescriber, and *AM Plus capsules* (counts 5 and 9) were dispensed twice without a prescription.

PLEA: Nolo contendere by Battaglia to all counts and by Barker to counts 1, 6, and 11.

DISPOSITION: 7-22-59. Battaglia—\$400 fine; Barker—\$50 fine.

5840. (F.D.C. No. 42438. S. Nos. 8-268 P, 8-290 P, 8-746 P.)

INFORMATION FILED: 4-1-59, N. Dist. N.Y., against Benjamin Berke, t/a Berke's Drug Store, Rome, N.Y., Dominick Capponi (clerk), and Edwin L. Comins (pharmacist).

CHARGE: Between 3-3-58 and 3-15-58, *Seconal Sodium capsules* (counts 1 and 2) were dispensed twice and *Dewedrine Spansule capsules* (count 3) were dispensed once upon requests for prescription refills without authorization from a prescriber.

PLEA: Guilty by Berke to counts 1 and 2; by Comins to count 2; and by Capponi to count 3.

DISPOSITION: 7-13-59. Berke—\$700 fine; Comins and Capponi—each \$200 fine.

5841. (F.D.C. No. 41172. S. Nos. 76-918 M, 76-923 M, 76-926 M, 76-931 M, 77-206 M, 77-208 M.)

INFORMATION FILED: 5-17-58, N. Dist. Ga., against Bradford Drug Co., Inc., Cedartown, Ga., Henry Tare Bradford (president and treasurer of the corporation), and Edwin Gibson Ivey (an employee of the corporation).

CHARGE: Between 7-11-57 and 8-5-57, *Seconal Sodium capsules* were dispensed 6 times upon requests for prescription refills without authorization by the prescriber.

DISPOSITION: The defendants having entered a plea of not guilty, the case came on for trial before the court and jury on 3-20-59. The trial was concluded on 3-24-59, with the court declaring a mistrial because of the failure of the jury to reach a verdict.

On 11-4-59, pleas of nolo contendere were entered by the corporation to all 6 counts of the information; by Henry Bradford to counts 1, 2, and 5; and by Edwin Ivey to counts 3, 4, and 6. On the same day, the court fined the corporation \$125, Henry Bradford \$250, and Edwin Ivey \$75. The court also placed each individual on probation for 1 year.

5842. (F.D.C. No. 42446. S. Nos. 75-653 M, 22-930/1 P, 22-933 P, 22-952 P.)

INFORMATION FILED: 5-15-59, Dist. Ariz., against Herbert C. Brightbill and Herman M. Hoffman (pharmacists), Tucson, Ariz.

CHARGE: Between 12-19-57 and 2-25-58, *Seconal Sodium capsules* and *Thorazine tablets* were each dispensed twice and *Meticorten tablets* were dispensed once upon request for prescription refills without authorization from the prescriber.

PLEA: Guilty by Brightbill to 3 counts involving the dispensing of *Seconal Sodium capsules*, *Thorazine tablets*, and *Meticorten tablets*; and by Hoffman to 2 counts involving the dispensing of *Seconal Sodium capsules* and *Thorazine tablets*.

DISPOSITION: 10-12-59. Both defendants were placed on probation for 1 year.

5843. (F.D.C. No. 43696. S. Nos. 50-881/4 P.)

INFORMATION FILED: 11-29-59, N. Dist. Ind., against Leroy Wineinger (pharmacist), t/a DeKalb Drugs, East Gary, Ind.

CHARGE: Between 1-14-59 and 3-3-59, *Miltown tablets* and *Dexedrine Spansule capsules* were each dispensed twice without a prescription.

PLEA: Guilty.

DISPOSITION: 12-4-59. \$200 fine, plus costs.

5844. (F.D.C. No. 42413. S. Nos. 11-985/6 P.)

INFORMATION FILED: 1-7-59, N. Dist. Ind., against Morris B. F. Victor (pharmacist), East Chicago, Ind.

CHARGE: On 4-17-58, *Gantrisin tablets* and *dextro-amphetamine sulfate capsules* were each dispensed once without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 1-14-59. \$150 fine, plus costs.

5845. (F.D.C. No. 41728. S. Nos. 61-157 M, 75-979 M, 76-015 M, 76-042 M, 76-104 M, 76-161 M.)

INFORMATION FILED: 12-16-58, Dist. Mass., against Hemenway Drug Co. (a corporation), Boston, Mass., Nicholas T. Elias (pharmacist), and Charles Bowen (employee).

CHARGE: Between 6-18-57 and 7-25-57, *Gantrisin tablets* (counts 1 and 5), *Butazolidin tablets* (counts 2 and 6), and *Thorazine tablets* (counts 3 and 4), were each dispensed twice upon request for prescription refills without authorization by a prescriber.

PLEA: Nolo contendere by the corporation to all counts; by Elias to counts 1, 2, and 3; and by Bowen to counts 4, 5, and 6.

DISPOSITION: 10-13-59. Corporation—\$300 fine; Elias—\$200 fine; Bowen—\$100 fine.

• 5846. (F.D.C. No. 41164. S. Nos. 57-225 M, 57-245 M.)

INFORMATION FILED: 3-12-58, S. Dist. Fla., against Harry N. Chastain and Hugh H. Lumpkin (pharmacists), West Palm Beach, Fla.

CHARGE: Between 7-30-57 and 8-24-57, *Azo Gantrisin tablets* were dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere.

DISPOSITION: 3-21-58. Each defendant placed on probation for 1 year.

5847. (F.D.C. No. 42163. S. Nos. 81-930/2 M, 81-941/2 M, 81-946 M, 28-181/2 P, 28-184 P.)

INFORMATION FILED: 3-24-59, N. Dist. Tex., against Isaac M. Neal, t/a Smith Drug Store, and also as Neal Drug, Cross Plains, Tex.